

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALI RAZAK, KENAN SABANI, and
KHALDOUN CHERDOUD,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC. and
GEGEN LLC,

Defendants.

Case No. 2:16-cv-00573-MMB

Judge Michael M. Baylson

**PLAINTIFFS' MOTION FOR JUDGMENT UNDER RULE 50(b), JUDGMENT UNDER
RULE 52(a)(1), CERTIFICATION FOR INTERLOCUTORY APPEAL UNDER
28 U.S.C. § 1292(b), AND FOR A NEW TRIAL UNDER RULE 59**

Plaintiffs Ali Razak, Kenan Sabani, and Khaldoun Cherdoud hereby move the Court for the following alternative bases for relief:

1. Judgment in Plaintiffs' favor under Rule 50(b);
2. An order adopting Plaintiffs' Proposed Findings of Facts and Conclusions of Law, filed herewith, under Rule 52(a)(1), along with judgment in Plaintiffs' favor under Rule 58;
3. An order certifying this case (including the Court's June 4, 2024, Memorandum Re: Motions for Judgment as a Matter of Law, ECF 314) for interlocutory appeal under 28 U.S.C. § 1292(b); or
4. A new trial under Rule 59, given that the prior jury was not able to reach a verdict, that protects Plaintiffs' right to a jury reflecting a fair cross section of this District and that limits the jury's role to determining only historical facts.

The reasons supporting Plaintiffs' Motion are fully set forth in Plaintiffs' accompanying Brief, which Plaintiffs incorporate by reference.

Plaintiffs also incorporate their Proposed Findings of Fact and Conclusions of Law and Proposed Orders, filed herewith.

Dated: July 1, 2024

Respectfully submitted,

s/ Shannon Liss-Riordan
Shannon Liss-Riordan (*pro hac vice*)
Thomas Fowler (*pro hac vice*)
LICHTEN & LISS-RIORDAN, P.C.
729 Boylston Street, Suite 2000
Boston, MA 02116
(617) 994-5800
sliss@llrlaw.com
tfowler@llrlaw.com

Jeremy E. Abay (PA # 316730)
LICHTEN & LISS-RIORDAN, P.C.
76 E. Euclid Avenue, Suite 101
Haddonfield, NJ 08033
(856) 509-5346
jabay@llrlaw.com

Bret Stanley (*pro hac vice*)
THE STANLEY LAW FIRM, PLLC
1700 Richmond Avenue, Suite 1700
Houston, TX 77079
(832) 856-6486
bstanley@stanleypllc.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Shannon Liss-Riordan, certify that on July 1, 2024, a true and accurate copy of the foregoing document was served on counsel for Defendants by filing on the Court's CM/ECF system.

s/ Shannon Liss-Riordan

Shannon Liss-Riordan